



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 162 with Amendment Lisae C. Jordan, Executive Director & Counsel January 19, 2022

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI) which provides direct legal services for survivors across Maryland. We urge the Education, Health & Environmental Affairs to report favorably on Senate Bill 162 with Amendment.

Senate Bill 162 – Cyber Education – Addition of Sexting

SB162 would create a comprehensive educational curriculum for school children regarding cyber safety. The Maryland Coalition Against Sexual Assault (MCASA) applauds this effort. The COVID 19 pandemic has made it even more important as children spend more and more time on-line and perpetrators of sexual violence and exploitation seek to make contact with them. We note that SB162 already includes a requirement to provide education regarding “sexually graphic content” and believe this is wise and appropriate. We ask the Committee to consider adding additional requirements regarding sexting and are concerned that without specific language, the curricula developed may omit voluntary exchange of images between teens who are dating. It is critical that children receive education about this issue.

Incidence of Sexting

A recent study published in JAMA Pediatrics surveyed more than 110,000 teens and found about 27% of teens have admitted to receiving a sext.¹ This is believable, if not an underestimate, considering most teens have access to a cell phone, and a simple Google search generates over 21 million results for “*how to sext*”.

Risks from Sexting & Need for Response

While sexting is common, it also poses serious risks of a range of harms by increasing the risk of revenge porn, sextortion, sex trafficking, negative impact on employment or academic options, and more. Promises to keep images private are not always kept and the Digital Era makes it all too easy to distribute images. In December 2020, a New York Times article reported that Pornhub, the epicenter of online pornography, was hosting and monetizing videos of sexual assault, trafficking victims, and exploited youth (Kristof, 2020). At the time, anyone was allowed to upload personal content to the platform. The site's faulty and insufficient approval process allowed these videos to be uploaded to the site (Daily Mail, 2021). Sexting can provide content for these types of sites and, although the actions could give rise to

¹ Sheri Madigan et al., *Prevalence of Multiple Forms of Sexting Behavior Among Youth: A Systematic Review and Meta-analysis*, 172 JAMA Pediatrics 327–335 (2018)

other charges, the harm to the exploited youth is serious and irreversible: once an image is on the Internet, it lives there forever.

Education has been proven to deter the act of sexting.² Professor Quince Hopkins and her students at the University of Maryland Law School researched this issue and found a number of already existing curricula that Maryland could easily adopt. They range in cost from about \$50-\$500. Alternatively, Texas has developed its own educational program, called “Before You Text” and Maryland could develop a similar program and incorporate it into Cyber education. <https://txssc.txstate.edu/tools/courses/before-you-text/>

**The Maryland Coalition Against Sexual Assault urges the
Education, Health & Environmental Affairs Committee to
report favorably on Senate Bill 162 with Amendment**

²Joseph Paravecchia, Note, *Sexting and Subsidiarity: How Increased Participation and Education from Private Entities May Deter the Production, Distribution, and Possession of Child Pornography Among Minors*, 10 AVE MARIA L. REV. 235, 242-48 (2011);